

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6305

BILL NUMBER: HB 1006

NOTE PREPARED: Jan 9, 2013

BILL AMENDED:

SUBJECT: Various Changes to the Criminal Code.

FIRST AUTHOR: Rep. Steuerwald

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: This bill has the following provisions:

- A. *Community Corrections and Probation* – It makes various changes to the criminal code, including changes to the law concerning community corrections and probation.
- B. *Probation Improvement Fund* – It establishes the Probation Improvement Fund and appropriates \$1.9M annually from the Department of Correction (DOC) annual appropriation.
- C. *Judicial Center Drug and Alcohol Programs Fund* – It adds changes to the law concerning communicable disease crimes, battery, hazing, obstruction of traffic crimes, interference with medical services crimes, kidnapping, confinement, criminal mischief, railroad mischief, computer crimes, deception and fraud crimes, timber spiking, offenses against general public administration, criminal gang activity crimes, stalking, offenses against public health, child care provider crimes, and weapon crimes.
- D. *Credit-Restricted Felons* – It removes this felony classification for persons who have been convicted and committed for certain crimes involving child molesting and murder.
- E. *Drug Crimes and Protection Zones* – It changes the weight thresholds for determining the severity of crime and reduces the protective zone from 1,000 feet to 500 feet.
- F. *Earned Credit Time* – It increases the amount of credit time that an offender may earn for completing one or more career, technical, or vocational education programs approved by DOC. It specifies that credit time must be directly proportional to the time served and course work completed while incarcerated. It requires DOC to adopt rules to implement this change. It changes the way that an offender's release date is determined by applying earned credit time. It reduces the total amount of earned credit time that an offender can earn from four to two years.

- G. *Theft* – It changes the thresholds for penalties related to theft.
- H. *Neglect Causing Death or Serious Bodily Injury* – It make neglect causing death or serious bodily injury a nonsuspendable crime.
- I. *Repeal and Replace* – It repeals the law concerning criminal deviate conduct, and consolidates the crime of criminal deviate conduct into the crime of rape. It repeals laws concerning carjacking, and failure of a student athlete to disclose recruitment.
- J. *Four Felony Classes to Six Felony Levels Felony Penalty Classification* – It removes the current four-level felony penalty classification and replaces that classification with a six-level felony penalty classification. (This bill does not define the new penalty ranges.)
- K. *Legislative Study* - It urges the Legislative Council to require an existing study committee to evaluate the criminal law statutes in IC 7.1 and IC 9 and to make recommendations to the General Assembly for the modification of the criminal law statutes in those titles.
- L. *Technical Corrections and Conforming Amendments*- It also makes technical corrections and conforming amendments.

(The introduced version of this bill was prepared by the Criminal Code Evaluation Commission.)

Effective Date: July 1, 2013; July 1, 2014.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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